



02 November 1999  
E/ER:99-323

**SUBJECT: ACCESS TO ER PROJECT ELECTRONICALLY STORED DATA IN THE FIMAD BY NON-PROJECT PERSONNEL**

**BACKGROUND.** The Environmental Restoration (ER) Project maintains two complementary facilities designed to provide a referable database of administrative and technical information. The Records Processing Facility (RPF) manages legally defensible records according to established standards. Such records may consist of unpublished administrative and technical documents, published reports, photographs, maps, drawings, and record of archival searches. The Facility for Information Management, Analysis and Display (FIMAD) is the Project's complementary Geographic Information Systems (GIS). The FIMAD captures, stores, updates, manipulates, queries, retrieves, analyzes, and displays all forms of spatially referenced electronic information, including analytical data, created by or modified for the Project. It is used to evaluate associations among geographic phenomena and environmental issues, integrate data sets for modeling, conduct decision support analyses, and perform mathematical and statistical operations for risk analysis and site suitability. The circumstances and conditions under which access to data and information stored electronically in the FIMAD by non-Project personnel will be granted is the object of this directive.

**DIRECTIVE.** Data and information created by or modified for the ER Project are considered US Government property. Non-Project personnel may have access to the FIMAD electronic data or information subject to the conditions described below.

The Project will not release data or information that has not been validated. For Project purposes, validation is a process whereby data and information are accepted for use in the Project's framework of routine environmental management activities. Validation includes, but is not limited to, verifying electronic analytical data receivers against hard copy analytical laboratory

reports, editing data to comply with database field properties, and data review by subject matter experts.

For data that the Project considers sensitive or subject to potential misuse, the requestor may be directed to obtain written permission from the data steward(s) and/or the Project Manager prior to its release. The ER Project will not permit non-Project personnel access to electronic data or information with a network or on-line connection to the FIMAD, unless exceptional circumstances or need exist. Data access will occur through a transfer by electronic means, such as FTP transfer, or with removable media.

Release of data is limited only to that data available in the FIMAD at the time of the request. The Project will not transform its data representation or data requirements to meet the requestor's application view of the data. The Project will not create or customize spatial themes, databases or cartographic products. Data available commercially or through publicly available holdings will not be transferred. The processing of requests will not be allowed to interfere with operations of the ER Project.

Procedures for processing a request and additional access qualifications are subject to the requestor's affiliation with the US Government and the LANL. These affiliations are (a) LANL organizations and their contractors; (b) US Government / non-LANL, state and local organizations and their contractors; (c) FOIA requests (typically, non-US Government entities requesting data through the Freedom of Information Act); and, (d) Other requestors.

(a) LANL ORGANIZATIONS AND THEIR CONTRACTORS. Requests for data must be in writing, must include a statement of its intended use and manipulation, and must state that the requestor agrees not to redistribute the data without the Project's written consent. The Project's response to such requests will also be in writing. A Memorandum of Understanding (MOU) will be established between the FIMAD and the requestor prior to data transfer. At a minimum, the MOU will state the requestor's intended use and manipulation of the data, and contain reference to sensitivity and limitations of the data, limits and conditions of reproducibility, and certain disclaimers. Agreement by the parties to the MOU may be processed through e-mail messages. Costs for labor, materials and supplies that are associated with data transfer are the responsibility of and shall be paid by the requestor.

(b) US GOVERNMENT / NON-LANL, STATE AND LOCAL ORGANIZATIONS AND THEIR CONTRACTORS. Requests for data must be in writing, must include a statement of its intended use and manipulation, and must state that the requestor agrees not to redistribute the data without the Project's written consent. The Project's response to such requests will also be in writing. If data transfer is approved, a written Memorandum of Understanding (MOU) will be executed by the FIMAD and the requestor prior to data transfer. At a minimum, the MOU will

state the requestor's intended use and manipulation of the data, and contain reference to sensitivity and limitations of the data, limits and conditions of reproducibility, and certain disclaimers. The MOU must be signed by the FIMAD Team Leader or his designee and the requestor. Costs for labor, materials and supplies that are associated with data transfer are the responsibility of and shall be paid by the requestor.

(c) FOIA REQUESTS. The Freedom of Information Act (FOIA) of 1967 established requirements for public access to US Government information, documents, and material. These requests are received through the Laboratory's Information and Records Management Group (CIC-10). If data transfer is approved, the Project will respond in writing. The response will contain reference to sensitivity and limitations of the data, limits and conditions of reproducibility, and certain disclaimers. Costs for labor, materials and supplies that are associated with data transfer are the responsibility of and shall be paid by the requestor, and will be made payable to the US Treasury Department.

(d) OTHER REQUESTORS. The requestor will not normally be provided with data in electronic format. Data transfer will be limited to hard copy maps previously produced in the course of Project activities. To assist requestors in the selection of relevant data, the FIMAD retains catalogs of Project-generated cartographic maps in its Cartographic Laboratory. Requestors may ask to view the catalogs and request full-scale copies. The FIMAD will retain a record of the product transfer. Costs exceeding FIMAD's internal and external costs of \$100 for labor, materials and supplies to generate hard copy products are the responsibility of and shall be paid by the requestor.

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